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2008 JAN 23 PM 2:40
CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY KMH DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury **08 CR 0203 H**

11	UNITED STATES OF AMERICA,)	Criminal Case No. _____
12	Plaintiff,)	<u>I N D I C T M E N T</u>
13	v.)	Title 8, U.S.C., Secs. 1326(a)
14	RAFAEL ALFONSO)	and (b) - Attempted Entry After
15	LABASTIDA-OLACHEA,)	Deportation
16	Defendant.)	

The grand jury charges:

On or about January 10, 2008, within the Southern District of California, defendant RAFAEL ALFONSO LABASTIDA-OLACHEA, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the

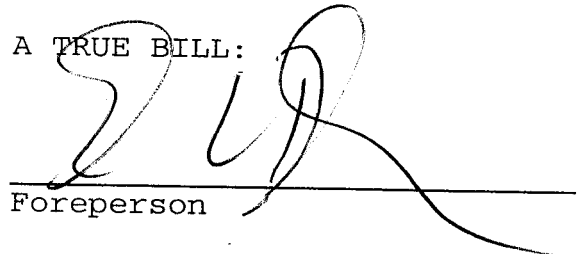
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1 border from Mexico into the United States, that was a substantial step
2 toward committing the offense, all in violation of Title 8, United
3 States Code, Sections 1326(a) and (b).

4 It is further alleged that defendant RAFAEL ALFONSO LABASTIDA-
5 OLACHEA, was removed from the United States subsequent to
6 December 21, 2000.

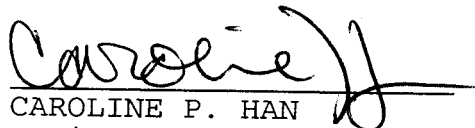
7 DATED: January 23, 2008.

8 A TRUE BILL:

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10 
11 Foreperson

12 KAREN P. HEWITT
13 United States Attorney

14 By:

15 
16 CAROLINE P. HAN
17 Assistant U.S. Attorney
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